

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SAMUEL GITAU,)
)
Petitioner,)
) Civil Action No.
v.) 05-10803-GAO
)
BRUCE CHADBOURNE, et al.)
)
Respondents.)

ASSENTED TO MOTION TO CONTINUE STATUS HEARING

Now come the Respondents to request that the status hearing, presently scheduled for April 19, 2006, be continued to a date after April 27, 2006 (preferably May 3, 2006). The instant habeas petition was filed on behalf of the Petitioner, Samuel Gitau, seeking release from Immigration and Customs Enforcement custody pending the entry of a final order of removal. While the matter was pending, a final order of removal was entered in December 2005. A motion to dismiss the instant claim as moot is now pending.

Gitau's removal has been scheduled to take place on April 27, 2006. Should the petitioner's removal go forward on that date, the matter is likely to be resolved without the need for further court action.

The Petitioner's counsel has assented to the requested continuance and has asked that the matter be put over to May 3, 2006.

Wherefore, the Respondents request that the matter be continued.

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

/s/ Mark J. Grady

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Certificate of Compliance

Petitioner's counsel has assented to the requested continuance.

/s/ Mark J. Grady

Mark J. Grady, Assistant U.S. Attorney